

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/LFG

RIO CHAMA STREAM SYSTEM
Section 3, Rio Nutrias

Subfile Nos. CHNU-003-0002B
CHNU-003-0002D
CHNU-004-0001

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. P. 25(c) moves the Court to issue its order substituting 7 Mares Ranch, LLC for defendant Jose D. Eturriaga in these proceedings, and as grounds plaintiff states the following:

1. In 2006, Doris A. Brown, trustee of the Doris A. Brown Revocable Trust, under a real estate contract, purchased Jose D. Eturriaga's interests in the land and water rights in subfiles CHNU-003-0002B, CHNU-003-0002D and CHNU-004-0001. In September 2011, Ms. Brown in turn transferred her interest in this property to 7 Mares Ranch, LLC, a New Mexico Corporation as shown by the records of the Clerk of Rio Arriba County and deeds recorded on June 25, 2012. 7 Mares Ranch has provided the State with copies of the various deeds of transfer and changes of ownership forms filed with the Office of the State Engineer, and has requested the substitution of parties described herein.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting 7 Mares Ranch, LLC for defendant Jose D. Eturriaga in these proceedings with respect to the water

rights described in the above listed subfiles. Mr. Eturriaga remains a defendant in these proceedings with respect to water rights described in other subfiles in the Nutrias subsection.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444 phone
(505) 867-7444 facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of August 2013, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

7 Mares Ranch LLC
RC Sweeten
8721 FM 1725
Cleveland, TX 77328

Jose Damián Eturriaga
P.O. Box 57
Los Ojos, NM 87551

/s/ Ed Newville
EDWARD G. NEWVILLE